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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10 CITY OF GRASS VALLEY,
11 Plaintiff, No. CIV S-04-0149 DAD
12 v.
13 NEWMONT MINING CORPORATION,
14 et al.,
15 Defendants. ORDER

16 Pursuant to the reassignment order filed on September 29, 2008, this matter will
17 be set for jury trial before the undersigned on the dates previously offered to the parties. The
18 parties' stipulation regarding amendments to their witness and exhibit lists will be approved.

19 IT IS HEREBY ORDERED that:

20 1. Jury trial is **SET** for **January 20, 2009, at 10:00 a.m.**, in Courtroom No. 27
21 before the undersigned. The parties have estimated that the trial will last between 10 and 14
22 court days. Trial will be conducted on the following dates, from 9:00 a.m. to 4:30 p.m., except
23 on the first day and as otherwise ordered: January 20, 2009 through January 22, 2009; January
24 26, 2009 through January 29, 2009; and February 2, 2009 through February 5, 2009. Additional
25 days will be set as needed. Counsel are to call Pete Buzo, Courtroom Deputy, at (916) 930-4128,
26 one week prior to trial to confirm these dates.

1 2. Counsel for each party is directed to appear before and present an original and
2 one copy of each exhibit to Pete Buzo, Courtroom Deputy, in Courtroom No. 27 not later than
3 9:00 a.m. on the date set for trial to begin. As to each exhibit to which no objection has been
4 filed, the exhibit shall be marked and received into evidence and will require no further
5 foundation. Each exhibit to which an objection has been filed to will be marked for
6 identification only.

7 3. Counsel who anticipate the use of electronic equipment or other media during
8 the trial shall contact Andre Carrier, the court's Telecommunications System Administrator, at
9 (916) 930-4223 not later than two weeks prior to the date set for trial to begin.

10 4. The parties are permitted to amend their witness lists as follows: Plaintiff may
11 add John Wright to its witness list, and defendants may add Richard McHenry to their witness
12 list. Each side shall make its additional witness available for deposition by November 1, 2008;
13 and

14 5. The parties are permitted to add a small number of documents to their exhibit
15 lists. The additional exhibits must have been created after and pertain to the time period after
16 December 10, 2007, the date of the filing of the parties' Joint Pretrial Statement. Any such
17 additional exhibits must be provided to opposing counsel by October 15, 2008, and on or before
18 that date, each side shall file a Supplemental Exhibit List with the court.

19 DATED: September 29, 2008.

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

23 DAD:kw

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